

2008 CITY OF SAN JOSE - CEO NEGOTIATIONS SUMMARY OF TENTATIVE AGREEMENT

PERIOD OF MEMORANDUM OF AGREEMENT

Term: September 21, 2008 to September 17, 2011

WAGES

- **3.75%** general wage increase effective September 21, 2008.
- **1.50%** general wage increase effective September 20, 2009.
- **2.00%** general wage increase effective September 19, 2010.

DISCIPLINARY ACTION

Addition of language to reflect Weingarten Rights, which states that when an employee is being interviewed and the employee reasonably believes that the investigative interview is likely to result in disciplinary action, the employee has the right to request to have a union representative present during the investigative interview.

Clarification that the only appeal process for any disciplinary action shall only be those described in the San Jose Municipal Code and the City of San Jose Discipline Policy in the City Policy Manual and are not subject to appeal through the grievance procedure of this document.

RETIREE HEALTHCARE

The parties agree to further discussions regarding retiree healthcare benefits during the term of the contract.

HEALTH INSURANCE

- Effective at the beginning of pay period one (1) of payroll calendar year 2009, the City pays 90% of the cost of the lowest priced plan for the employee or the employee and dependent coverage and the employee pays 10%.
- Effective January 1, 2009, co-pays for all available HMO plans shall be as follows:
 - a. Office Visit Co-pay shall be increased to \$10
 - b. Prescription Co-pay shall be increased to \$5 for generic and \$10 for brand name. (The Blue Shield HMO will continue to include \$15 non-formulary drug co-pay.)
 - c. Emergency Room Co-pay shall be increased to \$50

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MEDICAL VERIFICATION OF ABSENCES

Clarification of language regarding employees' requirements to furnish medical verification for absences.

EDUCATIONAL & PROFESSIONAL INCENTIVES

Revised language to allow full-time employees to utilize \$400.00 per fiscal year for non-college accredited courses, Continuing Education Units, Adult Education Classes, workshops, membership dues in professional associations, professional licenses, and professional certificates.

PART-TIME EMPLOYEES

For part-time employees, a prorated amount of the educational reimbursement may be used for non-college accredited courses, continuing education units, adult education classes, workshops, membership dues in professional associations, professional licenses, and professional certificates.

Clarification that the City of San Jose Discipline Policy applies to both regular permanent (non-probationary) full-time and regular permanent (non-probationary) part-time benefited employees.

STANDBY PAY

Employees who are required to perform standby duty shall be credited with one hour of compensation at the appropriate rate for each eight (8) hour shift or portion thereof the employee performs standby duty.

SIDE LETTERS

- ***Shorthand Differential Pay*** – Was removed from the contract and placed into a side letter that will expire on September 1, 2009.
- ***Wellness Program*** – Prior to November 1, 2008, the City agrees to meet with CEO representatives and all other interested bargaining units, if any, to exchange information and to hear ideas and suggestions on a Wellness Program for the City.
- ***Reallocation Process*** – The City will exercise every effort to have a reclassification process, or a revised reclassification process, in place by January 1, 2009.
- ***Retiree Basic Life Insurance*** – Prior to March 1, 2009, the City will explore the voluntary retiree-paid basic life insurance benefit in order to resolve any outstanding questions that the City may have regarding increasing the retiree-

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paid basic life insurance benefit for non-management retirees, including potential impact it may have to the City's rate for active life insurance. CEO shall also have a representative in whatever forum the issue is explored by the Human Resources Department.

- ***Vacation*** – The City agrees to develop a report that Departments can run to show when an employee is reaching their vacation cap. Once a year, the Office of Employee Relations will send out an email to Department Senior and Executive Staff and Human Resources Liaisons with instructions on how to run the report and emphasizing the importance of employees utilizing their vacation leave.
- ***Legal Analyst Series and Legal Administrative Assistants*** – Six months prior to the expiration of the successor agreement, the City agrees to complete a classification/compensation study for the Legal Analyst Series and Legal Administrative Assistants I/II.
- ***Employee Assistance Program*** – The City agrees to review the effectiveness of the Employee Assistance Program and discuss ways to increase utilization, which include conducting additional outreach and increasing the number of sessions per incident. The discussions will occur as part of the City's Wellness Initiative.